
From: Allie Booker <booker@bookerlawfirm.com>

Sent: Friday, October 13, 2023 9:59 AM

To: Sara Leon <sleon@leoncalca.com>

Cc: Michelle Alcala <mcalca@leoncalca.com>

Subject: Re: Barbers Hill ISD v. George

Your actions are confusing. You say that you are calling but you are not in any way attempting to schedule these telephone conferences with me via email (which is the customary manner).

Most parties arrange a time for the telephone conference instead of blindly trying to catch attorneys by phone.

I am preparing to go out as told you a few times now. I have a full day today as this is my last day.

I will still be in a medical setting but can arrange talk time next week when I am out of surgery next week.

I will not be able to speak until later on in the week.

I will be physically down for the rest of the month as previously told to you.

Thank you kindly.

Respectfully submitted,

Allie R. Booker, Esq.

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"IF YOU'RE IN THE COOKER, CONTACT ALLIE BOOKER"

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From: Sara Leon <sleon@leonalcala.com>
Sent: Friday, October 13, 2023 9:41 AM
To: Allie Booker <booker@bookerlawfirm.com>
Cc: Michelle Alcala <malcala@leonalcala.com>
Subject: RE: Barbers Hill ISD v. George

Dear Ms. Booker:

I'm sorry to hear that you are having medical issues.

I left another message this morning with your office. I see that you re-filed in state district court your amended notice of removal with the same misidentification of parties (your client is identified in the style as the plaintiff, rather than the defendant).

When I say I have attempted to discuss this with you, I am referring to my multiple attempts to reach you by telephone at your office and this string of e-mail communications. I am not seeking to "rush" a conversation, but there are statutory deadlines for filing a notice of removal and Judge Hanks requires us to schedule a conference with him prior to filing that motion. Also, as I indicated when we last spoke, my client would like to get a prompt answer from the state court on the interpretation of the state law and we would like to avoid any unnecessary delay.

Your office has my cell number. My office number, below, rolls over to my cell. Either Michelle or I are available at your convenience to discuss.

Sara Hardner Leon

Partner

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From: Allie Booker <booker@bookerlawfirm.com>

Sent: Thursday, October 12, 2023 3:00 PM

To: Sara Leon <sleon@leonalcala.com>

Cc: Michelle Alcala <malcala@leonalcala.com>

Subject: Re: Barbers Hill ISD v. George

First off, I'm going on medical leave and have surgery that I am prepping for. I will be out until November.

Second, you haven't attempted to discuss anything, and I will let the Court know that if you file on today. You have had ample time to reach out and have not. I had Court all day on yesterday and have meetings today. I'm just seeing all of this. You will not rush me, force me, and be unreasonable

with me. You've had weeks. You emailed me the first time on today and won't even give adequate time for a response or conference.

I have no issue letting the Court know that your time is unreasonable, and you have sat idle for weeks without reaching out. Now that you tried and it was stricken, you're trying to build Rome in one day-not logical.

I am sending this from my iPhone so please excuse any mis-spellings as Autocorrect is not correct much of the time. I will apologize in advance.

Respectfully submitted,
Allie R. Booker, Esq.
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From: Sara Leon <sleon@leoncalca.com>
Sent: Thursday, October 12, 2023 2:41:27 PM
To: Allie Booker <booker@bookerlawfirm.com>
Cc: Michelle Alcala <malcala@leoncalca.com>
Subject: RE: Barbers Hill ISD v. George

Dear Ms. Booker:

I have called your office twice today and have been informed on both occasions that you are unavailable to confer with me regarding my e-mail communication, below. In an effort to comply with Judge Hanks' expectation that counsel confer in good faith prior to seeking a pre-motion conference, I am again requesting either a response to my e-mail, below, or a return telephone call. I am not available by phone this afternoon, but my law partner Michelle Alcala is available to discuss. I am concerned about the mis-identification of the parties in your filings with the Federal court. It appears that the inversion of the parties has been done intentionally to avoid the otherwise obvious bar to federal jurisdiction, that is, that the Plaintiff has raised no federal claims. Your Notice of Removal and Amended Notice of Removal are filed pursuant to Rule 11. If the misnomer of the parties was inadvertent, I would hope that you will promptly agree to re-file your

pleadings with the proper party designations and with the notation that removal is contested, as previously represented. If I do not hear back from you by noon tomorrow, I will assume that we are unable to resolve these concerns, and I will notify the Court accordingly.

Sara Hardner Leon

Partner



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From: Sara Leon

Sent: Thursday, October 12, 2023 8:34 AM

To: Allie Booker <booker@bookerlawfirm.com>

Cc: Michelle Alcala <malcala@leonalcala.com>

Subject: Barbers Hill ISD v. George

Dear Ms. Booker:

Per Judge Hanks' local rules, we will be filing our pre-motion letter today concerning the Motion to Remand. I know we have discussed some of these matters briefly already, and they were discussed in the motion we filed, but I wanted to take this opportunity to make one more good faith effort to address the following concerns before we speak with Judge Hanks.

1. You have filed your Notice of Removal indicating that Darresha George is the Plaintiff in the state court action and Barbers Hill ISD is the Defendant. In the Court's electronic filing system, you have also misidentified the parties. Will you agree to amend your pleading to correctly align the Plaintiff, Barbers Hill ISD, and Defendant as Darresha G. as next friend to Darryl G.?
2. In your electronic filing in federal court, you notified the Court that your Notice

of Removal was unopposed. This is not correct. In fact, you did not confer with me to determine whether the removal was agreed or opposed; at this point, you are aware that it is opposed. Will you agree to correct this error?

3. Your Notice of Removal is filed pursuant to Rule 11 of the Federal Rules of Civil Procedure. As set out more fully in our Motion to Remand, a defendant cannot create federal jurisdiction by way of raising federal counterclaims. I suspect you are aware of this well-established rule, and may have intentionally inverted the parties in your filing to create confusion on the matter of federal jurisdiction. Will you withdraw your Amended Notice of Removal and consent to the jurisdiction of the Chambers County District Court?
4. Darryl has reached the age of 18, so his mother can no longer participate in this case as his next friend. I know you earlier indicated that Darresha has claims in her own right, but nothing filed to date supports a separate cause of action regarding Darresha. Will you agree that Darresha George is no longer a proper party to this suit as Darryl's next friend?

Judge Hanks will expect that we have conferred on these matters before we discuss them with him in the pre-motion conference. Please respond at your earliest convenience to the matters raised above. Michelle and I are available this morning to discuss.

Sara Hardner Leon

Partner

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